

FILED
NOV - 4 2005

MISSISSIPPI
SECRETARY OF STATE

NOTICE OF RULE ADOPTION—TEMPORARY RULE
STATE OF MISSISSIPPI
DEPARTMENT OF BANKING AND CONSUMER FINANCE

Department of Banking and Consumer Finance
John S. Allison/Theresa L. Brady
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Specific Legal Authority authorizing the
promulgation of Rule: 75-67-129; 75-67-243

Reference to Rules repealed, amended or suspended
by the Temporary Rule 75-67-105; 75-67-205

Date Rule Proposed: November 4, 2005

Explanation of the Purpose of the Temporary Rule and the reason(s) for the rule: This agency has determined the necessity to issue these Emergency Regulations due to the importance of ensuring the proper interpretation of the requirements of Section 75-67-105 and 75-67-205 with respect to lenders that extend credit to person for commercial or business purposes. This regulation will exempt those that make commercial and business loans from the Small Loan Regulatory Law and the Small Loan Privilege Tax Law.

The Agency finds that an imminent peril to the public health, safety or welfare requires the adoption of a rule upon fewer than twenty-five (25) days notice. The Agency Rule Making Record for this temporary rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

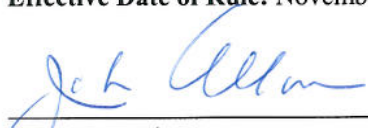
- ☐ An oral proceeding was held on this rule.
☒ An oral proceeding was not held on this rule:

The Agency has considered any written comments received and the presentations made in any oral proceeding, and

- ☐ This rule as adopted is without variance from the proposed temporary rule.
- ☐ This rule as adopted differs from the proposed temporary rule. The differences however are:
Within the scope of the matter in the notice of proposed rule adoption.
The logical outgrowth of the contents of the Notice of Proposed Rule Adoption and
The comments submitted response thereto, and
The Notice of Proposed rule Adoption provided fair warning that the outcome of the Proposed rule adoption could be the rule in question.

The entire text of the Temporary Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: November 4, 2005


John S. Allison
Commissioner

SOS FORM APA003
Effective Date 01/07/2005